

Attorney Docket No.: FMCE-P073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Quoiani)

Serial No.: 10/010,427)

Group Art Unit: 3676

Filed: 11/30/2001)

Examiner: A. Pickard

For: METALLIC SEAL COMPONENTS)

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Henry C. Query, Jr.
504 S. Pierce Ave.
Wheaton, IL 60187Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Response to Final Office Action

This communication is responsive to the final Office Action dated
September 30, 2003.

Reconsideration of the above-identified application is respectfully
requested.

Claims 1, 3, 4, 7-9, 14-18 and 20 stand rejected under 35 U.S.C. 103(a)
as being obvious over Rogen et al. (U.S. Patent No. 4,515,213) in view of
Boehm, Jr. et al. (U.S. Patent No. 5,456,314). In the Examiner's opinion, Rogen
discloses every element of claim 1, except a bore that includes a recessed
surface. Moreover, the Examiner asserts that Boehm discloses a bore with a
recessed surface and that it would have been obvious to the person of ordinary
skill in the art to provide Boehm's recessed surface in the bore of Rogen.
However, this rejection is erroneous since the combination of Rogen and Boehm

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is improper and, even if assumed to be proper, does not render applicant's invention obvious.

The present rejection is erroneous since no motivation or suggestion exists to combine Boehm with Rogen. The Examiner asserts that the person of ordinary skill in the art would combine Boehm with Rogen "to provide a recessed surface in the bore to enhance the connection and retention of the packing in the bore" (see the final sentence of numbered paragraph 2 of the final Office Action). However, Rogen provides other means for securing his various packer sleeves in their respective bores. For example, the packer sleeve 27 shown in Figures 1A and 1B is retained in the well casing 10 by a pair of slips 20a, 20b (see column 8, lines 26-30). Nowhere is it suggested that these slips are not sufficient to secure the packer sleeves in their bores. Therefore, the person of ordinary skill in the art would have no motivation to employ the wickers 23 of Boehm for this purpose.

Furthermore, even if one were to assume that the combination of Rogen and Boehm is proper, this combination would not render the invention recited in applicant's claim 1 obvious. Contrary to the Examiner's understanding, Boehm does not disclose a bore having a recessed surface. The Examiner asserts that reference number 23 designates a recessed surface. However, reference number 23 instead designates a series of wickers which are formed in the bore 13 of the well housing 11. Moreover, the person of ordinary skill in the art would not equate a series of wickers with a recessed surface. Thus, even if Rogen and Boehm could be combined, the resulting device would not include a seal

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component which forms a seal with a *recessed surface*, as is required by claim 1.

Therefore, claim 1 is clearly patentable under 35 U.S.C. 103(a) in light of Rogen and Boehm. In addition, since the remaining rejected claims depend from claim 1, these claims are also patentable under 35 U.S.C. 103(a) in light of Rogen and Boehm.

The prior art made of record but not relied upon has been considered but is not believed to be pertinent to the patentability of the present invention.

In light of the foregoing, claims 1, 3, 4, 7-9, 14-18 and 20 are submitted as allowable. Favorable action is solicited.

Respectfully submitted,



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Date: December 1, 2003

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Patent Attorney At Law

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TO:	FROM:
Examiner Alison Pickard	Henry C. Query, Jr.
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USPTO - Group Art Unit 3676	December 1, 2003
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U.S. Patent Application No. 10/010,427	
Inventor(s): Quoiani	
Filed: 11/30/2001	
For: Metallic Seal Components	

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Dear Examiner Pickard:

Enclosed in connection with the above-referenced application is a Response to Final Office Action, which is responsive to the Final Office Action dated September 30, 2003.

Sincerely,



Henry C. Query, Jr.

Certificate of Facsimile Transmission Under 37 CFR 1.8

I hereby certify that this correspondence, consisting of 4 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on December 1, 2003.


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